

IN THE CLAIMS

D' 1. (previously amended) A chocolate composition comprising an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters.

2. (previously amended) A chocolate composition comprising an emulsifier component comprising a monoglyceride, a diglyceride, a sorbitan ester or a sugar ester, the emulsifier having a melting point from about 50 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10, wherein the emulsifier component is present in an amount of about 2.2 to 6 percent by weight of the confectionery product.

3. cancelled.

4. (amended) The chocolate composition of claim [3] 1, wherein the emulsifier component is a monoglyceride having a carbon side chain of at least 16 carbons.

5. (unchanged) The chocolate composition of claim 4, wherein the emulsifier component comprises a monoglyceride having a carbon side chain at least 20 carbons long.

6. (unchanged) The chocolate composition of claim 1, wherein the emulsifier component comprises a monoglyceride having a melting point of about 67°C obtained by distilling partially hydrolyzed vegetable oil.

7. (previously amended) A chocolate composition comprising an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10, wherein the chocolate composition substantially maintains its structure up to a temperature of at least about 45°C.

8. cancelled.

9. (previously amended) A method of manufacturing a chocolate composition that maintains its structure at elevated temperatures comprising:

combining the ingredients to make a chocolate;

adding to the chocolate an emulsifier component comprising at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides or sugar esters, the emulsifier composition having a melting point from about 50° to 90°C and hydrophilic lipophilic balance value of about 2 to 10 and being added in an amount from about 1 to 6 percent by weight of the chocolate composition;

mixing the chocolate and emulsifier component to sufficiently distribute the emulsifier component throughout the chocolate and provide a chocolate composition that is a mixture of chocolate and emulsifier component;

warming the chocolate composition to a temperature sufficient to inhibit or prevent the emulsifier component from crystallizing; and

allowing the mixture to cool and set to form a stable chocolate composition.

10. (unchanged) The method of claim 9, further comprising depositing the mixture into a mold at a temperature sufficient to prevent the emulsifier component from crystallizing, and removing the mixture from the mold after the mixture cools.

11. cancelled.

12. (unchanged) The method of claim 9, wherein the mixing uniformly distributes the emulsifier component throughout the chocolate.

13. (previously amended) A food product comprising a liquid oil and an emulsifier component having a melting point from about 50 to 90°C and a hydrophilic lipophilic balance value of about 2 to 10, wherein the liquid oil is present in an amount of about 10 to 60 weight percent of the food product and the emulsifier is present in an amount of about 0.5 to 15 weight percent of the liquid oil, and wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglyceride, a sorbitan ester, a mono- or diglyceride of a vegetable oil, a partially hydrogenated monoglyceride, a fully hydrogenated monoglyceride or

a sugar ester, wherein the food product comprises at least one of a creamer, dough, bouillon base, confectionery coating or center, or ice cream.

14. (original) The food product of claim 13, wherein the liquid oil comprises palm oil, palm kernel oil, coconut oil, cocoa butter, babassu oil, milk fat, soybean oil, corn oil, canola oil, rapeseed oil, sesame oil, sunflower oil, safflower oil, peanut oil, oils resulting from the fractionation or hydrogenation thereof, and mixtures thereof.

15. cancelled.

16. cancelled.

17. (previously amended) The food product of claim 13, wherein the emulsifier component comprises a monoglyceride having a carbon side chain of at least 16 carbons.

18. cancelled.

19. cancelled.

20. (previously presented) The chocolate composition of claim 1, wherein the emulsifier component is present in an amount of about 1 to 6 percent by weight of the confectionery product.

21. cancelled.

22. (previously presented) The chocolate composition of claim 7, wherein the emulsifier component is present in an amount of about 1 to 6 percent by weight of the confectionery product.

23. (previously presented) The chocolate composition of claim 2, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters.

24. cancelled.

25. (previously presented) The chocolate composition of claim 7, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters.

26. cancelled.

27. cancelled.

28. cancelled.

29. (previously amended) A method of manufacturing a chocolate composition that maintains its structure at elevated temperatures comprising:

combining the ingredients to make a chocolate;

adding to the chocolate an emulsifier component having a melting point from about 50°C to 90°C and hydrophilic lipophilic balance value of about 2 to 10 and being added in an amount from about 1 to 6 percent by weight of the chocolate composition;

mixing the chocolate and emulsifier component to sufficiently distribute the emulsifier component throughout the chocolate and provide a chocolate composition that is a mixture of chocolate and emulsifier component;

warming the chocolate composition to a temperature sufficient to inhibit or prevent the emulsifier component from crystallizing; and

allowing the mixture to cool and set to form a stable chocolate composition, wherein the chocolate composition substantially maintains its structure up to a temperature of at least about 36°C.

Please cancel claims 3 and 24.